

2. Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(h), and 44-4064 (Reissue 2004) as a result of the following conduct:

- a. On or about November 30, 2008, Respondent issued a check in the amount of \$60.00 to the Petitioner as payment for Respondent's renewal licensing fees. Respondent's check was returned to the Petitioner by Respondent's bank marked "Return Reason - D, Closed Account." Respondent failed to maintain an open bank account with sufficient funds to allow clearing of this check, and as such has failed to pay the required renewal licensing fees.
- b. On or about January 8, 2009, Petitioner's Licensing Division sent a notice to Respondent at Respondent's registered business address by certified mail requiring that the Respondent replace the check with either "a credit card payment, money order or certified check, in the amount of the returned check plus a \$25 administrative cost for a total of \$85.00, WITHIN TEN DAYS FROM THE DATE OF THIS LETTER." (Emphasis in original.) On or about February 9, 2009, the certified mail was received and signed for at Respondent's registered business address. To date, Respondent has failed to respond to this notice, replace the check, or pay the required renewal licensing fees.
- c. On or about June 8, 2009, Licensing Administrator Jason McCartney attempted to contact Respondent at his home via the telephone number that Respondent had listed on his insurance producer license application and thus shown on our Department's NIIMS information system, to request payment be made immediately to cover the closed account check and returned check fee. Respondent was not at that number as the phone number was not his, so McCartney was unable to speak with him regarding his need to cover the outstanding closed account check and returned check fee.
- d. On or about October 7, 2009, after being served a copy of the petition, the Respondent made a credit card payment to the Department of \$85.00 to cover the amount of the returned check (\$60.00) plus a \$25 administrative cost for the returned check.

3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations stated in Paragraph 2.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(h), and 44-4064 (Reissue 2004).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, Rashad A. Williams, that he shall pay an administrative fine of \$500. The fine shall be paid in total within thirty days after the Director of the Department of Insurance affixes her signature to this document and approves said consent agreement. If Respondent fails to pay this fine in the time specified, his Nebraska's insurance producer license shall automatically be suspended. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signature below.

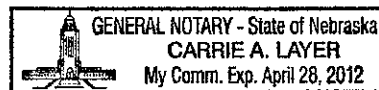
Michael C. Boyd
Michael C. Boyd
Attorney for Petitioner
941 O Street, Suite 400
Lincoln, NE 68508
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Rashad A. Williams
Rashad A. Williams,
Respondent

Oct. 28, 2009
Date

10/27/09
Date

State of Nebraska)
County of Douglas) ss.



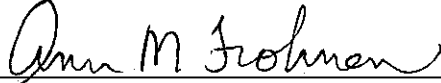
On this 27th day of October, 2009, Rashad A. Williams personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

Carrie A Layer
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Rashad A. Williams, Cause No. A-1846.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



ANN M. FROHMAN
Director of Insurance

10/29/09

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to Respondent at 16509 Patrick Avenue, Omaha, NE 68116 by certified mail, return receipt requested on this 29 day of October, 2009.

